

REMARKS

Claims 1-5 and 7-30 are pending in this application. Claim 15 has been canceled without prejudice, claims 1, 25, 26 and 27 have been amended and new claims 31-35 have been added by the present Amendment. Amended claims 1, 25, 26 and 27 and new claims 31-35 do not introduce any new subject matter.

REJECTIONS UNDER 35 U.S.C. § 103(a)**CLAIMS 1-5, 7-24 and 30**

Reconsideration is respectfully requested of the rejection of: (1) claims 1-3, 11, 14-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,304,173 ("Pala") in view of U.S. Patent No. 6,553,567 ("Wugofski"); (2) claims 4 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Pala in view of Wugofski and further in view of U.S. Patent No. 6,577,928 ("Obravich") (3) claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Pala in view of Wugofski and further in view of U.S. Patent No. 6,256,317 ("Holloway"); (4) claims 7, 8, 10, 13 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Pala in view of Wugofski and further in view of U.S. Patent No. 6,420,975 ("DeLine"); and (5) claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Pala in view of Wugofski and further in view of U.S. Patent No. 6,154,658 ("Caci").

Claim 1 has been amended to recite an overhead console including a wireless receiver mounted to an assembly housing and a display device pivotally mounted to the assembly such that movement of the display device is limited to pivoting. See, e.g., Applicant's disclosure, Fig. 3 (elements 310, 312); p. 28, lines 2-6. Claim 1 has also been amended to recite that the wireless receiver, the display device, the processor and the operating system are connected by a bus. See, e.g., Applicant's disclosure, Fig. 1

(as amended in 2/18/05 Response) (element 140); page 13, lines 15-17).

Pala Cannot Be Modified To Include A Display Device Pivotally Mounted To The Assembly Such That Movement Of The Display Device Is Limited To Pivoting

Applicant respectfully submits that modifying Pala to include an overhead pivotally mounted display, such that movement of the display device is limited to pivoting, would render Pala unsatisfactory for its intended purpose of providing a vehicle display system that provides entertainment for passengers in rear seats and an improved rear view for the driver. See Pala, col. 1, lines 17-30.

If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); see MPEP § 2143.01.

Modifying Pala to include the claimed overhead display with a limited range of motion would frustrate Pala's purpose of providing a display that is movable between a position in which the display is viewable by a driver and a position in which the display is viewable by rear seat passengers. See, e.g., Pala, Fig. 1; col. 2, lines 21-28. Unlike the display on rails of Pala, the claimed overhead display is not capable of moving from the front of the vehicle where it is viewable by a driver and to the back of the vehicle where it is viewable by rear passengers. Accordingly, such a modification would render Pala unsatisfactory for its intended purpose of providing a display that is movable to be viewed by a driver and rear seat passengers.

Therefore, for at least the above reasons, there is no suggestion or motivation to modify Pala to include the claimed pivotally mounted overhead display. As such Applicant maintains that claim 1, as amended, is patentable over Pala in view of

Wugofski, or patentable over Pala in view of Wugofski, and further in view of Obravich, Holloway, DeLine or Caci.

The Cited References Do Not Disclose A Wireless Receiver Mounted To An Assembly Housing And A Display Device Pivotally Mounted To The Assembly Such That Movement Of The Display Device Is Limited To Pivoting

Applicant also maintains that the cited references do not appear to disclose a wireless receiver mounted to the assembly housing or the claimed pivotally mounted display device with limited movement.

For example, in contrast to the Examiner's assertions, the receiver of Wugofski appears to be separate from an assembly for housing a video or display device. For example, the receivers 160 and 118 shown in Figs. 1 and 2 of Wugofski do not appear to be physically mounted to a display device or to an assembly for housing a display device. As shown in Fig. 2, the receiver is in a set-top box 170, which is separate from the display device.

Applicant also notes that none of the cited references appear to disclose the claimed pivotally mounted overhead display device with limited movement.

The Cited References Do Not Disclose The Wireless Receiver, The Display Device, The Processor And The Operating System Connected By A Bus

Applicant also maintains that the cited references do not appear to disclose a wireless receiver, a display device, a processor and an operating system connected by a bus.

Therefore, for at least the above reasons, Applicant maintains that claim 1, as amended, is patentable over Pala in view of Wugofski, or patentable over Pala in view of Wugofski, and further in view of Obravich, Holloway, DeLine or Caci.

Further, claims 2-5, 7-24 and 30 depend from claim 1, which for the reasons

stated above, is submitted to be patentably distinct over the cited references. For at least those very same reasons, claims 2-5, 7-24 and 30 are also submitted to be patentable over the cited references.

Therefore, Applicant respectfully requests that the Examiner withdraw the rejections of claims 1-5, 7-24 and 30 under 35 U.S.C. § 103(a), and that claims 1-5, 7-14, 16-24 and 30 are in condition for allowance, claim 15 having been canceled by the present Amendment.

CLAIM 25

Reconsideration is respectfully requested of the rejection of claim 25 under 35 U.S.C. § 103(a) as being unpatentable over Pala in view of Wugofski and further in view of DeLine.

Claim 25 has been amended to recite that the web browser, the display device and the wireless receiver are connected by a bus. The cited references do not appear to disclose this feature.

Therefore, Applicant respectfully submits that claim 25, as amended, is patentable over Pala in view of Wugofski, and further in view of DeLine. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 25 under 35 U.S.C. § 103(a), and that claim 25 is in condition for allowance.

CLAIM 26

Reconsideration is respectfully requested of the rejection of claim 26 under 35 U.S.C. § 103(a) as being unpatentable over Pala in view of Wugofski.

Claim 26 has been amended to recite an overhead console including a display device pivotally mounted to an assembly housing, wherein movement of the display

device is limited to pivoting. Claim 26 has also been amended to recite a wireless transceiver mounted to the assembly housing.

As stated above in connection with claim 1, Applicant maintains that (1) there is no motivation to modify Pala to include the claimed display device with the limited movement; and (2) the cited references do not appear to disclose the wireless transceiver (receiver) or the pivotal display device mounted to the assembly housing as claimed.

Accordingly, for at least the same reasons given above in connection with claim 1, Applicant respectfully submits that claim 26, as amended, is patentable over Pala in view of Wugofski.

Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claim 26 under 35 U.S.C. § 103(a), and that claim 26 is in condition for allowance.

CLAIMS 27-29

Reconsideration is respectfully requested of the rejection of claims 27-29 under 35 U.S.C. § 103(a) as being unpatentable over Pala in view of Wugofski and further in view of U.S. Patent No. 6,526,335 ("Treyz").

Applicant respectfully submits that Pala, when taken alone or in combination with Wugofski and/or Treyz, fails to teach or suggest a wireless transmitter adapted to transmit wireless control signals to a wireless receiver, wherein the wireless control signals are for configuring at least one of controls and applications on the display device such that the display device displays control modules, as recited in claim 27.

As admitted by the Examiner, Pala does not disclose a wireless transmitter for

transmitting a wireless control signal to the wireless receiver for configuring controls. January 12, 2006 Office Action at 6. The Examiner instead relies on Treyz to cure the deficiency in Pala, stating that Treyz "teaches a wireless transmitter, i.e., remote control, which transmits wireless control signals to a wireless receiver in an automobile computer system, wherein the wireless control signals are utilized to configure control settings such as tuning to radio stations, changing volume". Id.

Applicant respectfully submits that the remote control of Treyz is different from, and, therefore, does not render obvious the wireless transmitter recited in claim 27.

The wireless transmitter recited in claim 27 transmits wireless control signals which configure controls or applications on the display device so that the display device displays control modules. For example, the wireless transmitter 199 transmits control configuration signals to the wireless receiver 102 for display on the display device 104. The display device 104, in turn, displays control modules (e.g., the keypad of a cellular telephone or controls for selecting radio channels), which are selected via, for example, touch screen controls displayed on the display device. See, e.g., page 24, line 18 to page 25, line 7.

Unlike the embodiment recited in claim 27, the remote control in Treyz is sending commands for controlling functions, such as volume on a radio station. See, e.g., col. 23, line 66 to col. 24, line 6. In contrast, the wireless transmitter recited in claim 27 configures the controls on the display device so that control of the functions is not being transmitted from the transmitter, but is instead performed by interacting with the display device via an appropriate input mechanism, such as touch screen.

Therefore, it is respectfully submitted that the cited references, when taken alone

or in combination, do not disclose or suggest the recited features of claim 27. Accordingly, it would not have been obvious to modify Pala in view of Wugofski and further in view of Treyz to develop the embodiment recited in claim 27.

As such, Applicant respectfully submits that claim 27 is patentable over Pala in view of Wugofski and further in view of Treyz at least because Treyz does not disclose a wireless transmitter for transmitting signals which configure controls or applications on a display device, whereby the display device displays control modules.

For at least the reason that claims 28-29 depend from claim 27, claims 28-29 are also submitted to be patentably distinct over the cited references.

Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 27-29 under 35 U.S.C. § 103(a) and that claims 27-29 are in condition for allowance.

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, supra, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

NEW CLAIMS

Applicant respectfully submits new claims 31-35, which are submitted to be patentably distinct over the cited references in their own right, and at least by virtue of

their dependency on independent claims 1, 26 or 27.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael F. Morano", written over a horizontal line.

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